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50 SOUTH SIXTH STREET, SUITE 1500
MINNEAPOLIS, MN 55402-1498

MAILED

DEC 15 2010

OFFICE OF PETITIONS

ON PETITION

In re Application of :
David Knaack et al. :
Application No. 10/589,226 :
Filed: December 20, 2006 :
Attorney Docket No. 2004367-0111 :

This is in response to the petitions, filed May 11, 2010, under 37 CFR 1.183 requesting waiver of the requirements of 37 CFR 1.64, and under 37 CFR 1.48(a) requesting correction of inventorship.

The petition under 37 CFR 1.183 is **DISMISSED AS MOOT**.

The petition under 37 CFR 1.48(a) is **GRANTED**.


In view of the joinder of the inventor, further consideration under § 1.183 is not necessary.

Additionally, it has been found that this non-provisional application, as filed, through error and without deceptive intent, improperly set forth the inventorship, and accordingly, this application has been corrected in compliance with 37 CFR 1.48(a). The inventorship of this application has been changed by adding Keyvan Benham as an additional inventor.

A corrected filing receipt is enclosed.

As the instant petition is being treated as a petition under 37 CFR 1.183, the petition fee of \$400 set forth in 37 CFR 1.17(f) is required. Petitioner has already paid \$130 for consideration of the petition filed January 20, 2010. Accordingly, an additional \$270 will be charged to petitioners Deposit Account No. 04-1420.

Telephone inquiries regarding this decision should be directed to Irvin Dingle at (571) 272-3210.


David Bucci
Petitions Examiner
Office of Petitions

Attachment: Corrected Filing Receipt



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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
10/589,226	12/20/2006	1617	1015	2004367-0111	34	6

CONFIRMATION NO. 5785

CORRECTED FILING RECEIPT



OC000000044655862

25763
DORSEY & WHITNEY LLP
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SUITE 1500
50 SOUTH SIXTH STREET
MINNEAPOLIS, MN 55402-1498

Date Mailed: 12/15/2010

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

David Knaack, Summit, NJ;
Michele Diegmann, Scotch Plains, NJ;
Albert Manrique, Manalapan, NJ;
Keyvan Benham, Red Bank, NJ;

Power of Attorney: The patent practitioners associated with Customer Number 25763

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US05/03092 01/27/2005
which claims benefit of 60/539,555 01/27/2004

Foreign Applications

If Required, Foreign Filing License Granted: 04/22/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/589,226**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Stabilized bone graft

Preliminary Class

424

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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